

RECORD OF ORDINANCES

0047

34-07

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

3/6/07-gmk
(Street & Alley)

Ordinance No. 34-07

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an amended Local Public Agency (LPA) Agreement by and between the State of Ohio, acting by and through the Director of Transportation, hereinafter referred to as ODOT, and the City of North Canton, hereinafter referred to as the City, for the reimbursement of funds the City has expended for purchase of right-of-way for the South Main Street / Everhard Road Improvement Project (STA-CR-66-Main Street), and repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized, through the Board of Control, to enter into an amended Local Public Agency (LPA) Agreement by and between ODOT, and the City, for the reimbursement of funds the City has expended for purchase of right-of-way for the South Main Street / Everhard Road Improvement Project (STA-CR-66-Main Street).

Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.

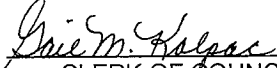
Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely reimbursement of funds the City has expended for purchase of right-of-way for the South Main Street / Everhard Road Improvement Project; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed: 3/12/07

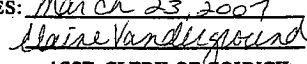

MAYOR

SIGNED: 3-16, 2007

ATTEST:


CLERK OF COUNCIL

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Published in THE REPOSITORY
DATES: March 23, 2007

ASST. CLERK OF COUNCIL

Council

COPY

STA-CR0066-6.30 (Main St)
COUNTY-ROUTE-SECTION

25625
PID NUMBER

11596
AGREEMENT NUMBER

AGREEMENT AMENDMENT

Agreement No. 11596 is revised as follows. This Agreement Amendment will be inserted into the original agreement under the existing terms and conditions.

SECTION V - COST SHARING AND USE OF FUNDS FOR THE PROJECT

- 5.1 As set forth in Attachment One hereto, the total development cost for the PROJECT is estimated to be \$ 3,013,352.05. Funds provided through ODOT shall be applied only to the eligible costs associated with the acquisition of right of way, the actual construction of the transportation project improvements, and construction engineering/inspection activities. The costs of preliminary development, final engineering design and general administration are not eligible for funding under this Agreement.
- 5.2 From the Federal funds made available for these purposes by the FHWA, ODOT shall provide the LPA with \$ 115,247 MPO-STP funds for eligible costs associated with right-of-way at a max rate of 80 percentage, up to a **maximum of \$ 115,247** ; and \$ 2,382,000 MPO-CMAQ and STP funds for eligible costs associated with construction at a max rate of 80 percentage up to a **maximum of \$ 2,382,000** for construction. These maximum Federal amounts reflect the funding limits for the PROJECT set by the Program Manager. The LPA shall provide all other financial resources necessary to fully complete the PROJECT, inclusive of cost overruns and contractor claims.

STA-CR0066-6.30 (Main St)
COUNTY-ROUTE-SECTION

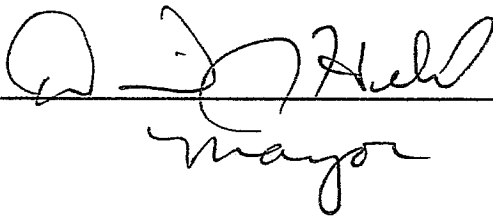
25625
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SIGNATURES

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed in duplicate as of the day and year first above written.

LPA

By:  Date: 3-19-07
Mayor

ODOT

By:  Date: 3-27-07
~~Keith Swearingen, Director~~
James G. Beasley, PE, PS

COPY

ATTACHMENT 1

SOURCES	LPA FUNDS		FHWA FUNDS		STATE FUNDS		%
	amount	%	amount	%	amount	%	
PRELIMINARY DEVELOPMENT/ ENVIRONMENTAL CLEARANCE	\$0		\$0				\$0.00
FINAL DESIGN, CONSTRUCTION PLANS & SPECIFICATIONS	\$0		\$0				\$0.00
ACQUISITION OF RIGHT OF WAY & UTILITY RELOCATION	\$28,812	20	\$115,247	80			\$144,059.00
ADVERTISING, COMPETITIVE BIDDING & CONTRACT AWARD	\$0		\$0				\$0.00
PROJECT CONSTRUCTION COSTS	\$231,278	20	\$925,112	80	\$0	0	\$1,156,390.00
CONSTRUCTION CONTRACT ADMINISTRATION, MATERIALS TESTING & INSPECTION	\$25,697	20	\$102,790	80	\$0	0	\$128,487.00
PROJECT CONSTRUCTION COSTS	\$297,894	20	\$1,191,578	80			\$1,489,472.00
CONSTRUCTION CONTRACT ADMINISTRATION, MATERIALS TESTING & INSPECTION	\$33,100	20	\$132,398	80			\$165,498.00
	\$616,781	0	\$2,467,125	0	\$0	0	\$3,083,906.00

STA-CR006-S-30 (Main St)
COUNTY ROUTE SECTION

25525
PID NUMBER

11595
AGREEMENT NUMBER